

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

02:07-CR-00080-CRW-PAL

v.

ORDER

GARY COLOMBO,

Defendant.


The undersigned Senior U.S. District Judge has scheduled for 9:00 a.m. on May 15, 2013, a hearing in Las Vegas on the defendant's resisted motion for relief filed pursuant to 28 U.S.C. section 2255. On April 25, the government filed a request for continuance, stating as its only reason that defendant's former court-appointed attorney Oswaldo Fumo "will not be available for the hearing prior to June 3, 2013, due to the press of work, particularly a multi-day evidentiary hearing in the O.J. Simpson case." This reason is inadequate to support the request. The court denies the request for continuance.

I will be present in an assigned courtroom in Las Vegas to receive arguments of counsel and of Gary Colombo, and testimony of Colombo's witness Linn Huff, and of Oswaldo Fumo, by phone or in person as arranged by the parties. If the parties both prefer and agree in writing by May 10, the court will begin the hearing on the morning or afternoon of May 14 rather than May 15 at 9:00 a.m.

If a party requests, the U.S. Marshals Service shall assist in having Gary Colombo and the witnesses present in person or by phone during the hearing, expected to require no more than four hours.

IT IS SO ORDERED.

Dated this 7th day of May, 2013.


CHARLES R. WOLLE, JUDGE
U.S. DISTRICT COURT